

**BOARD OF PAROLE HEARINGS**  
**En Banc Decisions**  
**Tuesday, October 18, 2016**

**NAPOLI, ANTHONY**  
Sentencing Court:  
Riverside

**C-67486**

**Penal Code section 1170(e)**

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**Motion:** Recommend to the court that Mr. Napoli's sentence be recalled and that Mr. Napoli be resentenced, based on a finding that he is terminally ill with an incurable disease that would produce death within six months and the conditions under which Mr. Napoli would be released (specifically, to live under the care of his mother) would not pose a threat to public safety.

Motion by: **Anderson**

Second by: **Labahn**

Not Present: **Fritz**

Abstained:

**Decision:** Motion approved by a majority of the commissioners present.

**TALAMANTEZ, ROBERT**  
Sentencing Court:  
Fresno

**D-74324**

**Penal Code section 1170(e)**

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**Motion:** Decline to recommend to the court that Mr. Talamantez's sentence be recalled and that Mr. Talamantez be resentenced based on a finding that he poses a current risk of danger to public safety because of his continued mobility and ability to perform all activities of daily living on his own, the conditions of his proposed release (specifically, to live under the care of his sister), his poor performance on parole in the past, his high risk for violence on his April 14, 2015 Comprehensive Risk Assessment, and his extensive criminal history.

Motion by: **Roberts**

Second by: **Zarrinam**

Not Present: **Fritz**

Abstained:

**Decision:** Motion approved by a majority of the commissioners present.

**BRIGIDA, STEVEN**  
Sentencing Court:  
Los Angeles

**D-92269**

**Governor-Referred pursuant to  
Penal Code section 3041.1**

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**Motion:** Affirm the panel's July 7, 2016 decision to grant parole, as articulated in the panel's decision.

Motion by: **Garner**

Second by: **Montes**

Not Present: **Fritz, Zarrinnam**

Abstained: **Anderson**

**Decision:** Motion approved by a majority of the commissioners present.

**JAMES, PATRICK**  
Sentencing Court:  
Riverside

**T-48309**

**Governor-Referred pursuant to  
Penal Code section 3041.1**

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**Motion:** Affirm the panel's June 7, 2016 decision to grant parole, as articulated in the panel's decision.

Motion by: **Labahn**

Second by: **Roberts**

Not Present: **Fritz, Garner**

Abstained:

**Decision:** Motion not approved by a majority of the commissioners present.

**JAMES, PATRICK**  
Sentencing Court:  
Riverside

**T-48309**

**Governor-Referred pursuant to  
Penal Code section 3041.1**

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**Motion:** Refer for a rescission hearing to consider whether, based on the concerns cited in the Governor's referral letter dated September 9, 2016, the June 7, 2016 grant of parole was improvident.

Motion by: **Zarrinnam**

Second by: **Peck**

Not Present: **Fritz, Garner**

Abstained:

**Decision:** Motion approved by a majority of the commissioners present.